



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,531	09/22/2003	Sven Salzer	L7725.03108	5889
24257	7590	10/30/2006	EXAMINER	
STEVENS DAVIS MILLER & MOSHER, LLP 1615 L STREET, NW SUITE 850 WASHINGTON, DC 20036			LEE, MICHAEL	
			ART UNIT	PAPER NUMBER
			2622	

DATE MAILED: 10/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/666,531

Applicant(s)

SALZER ET AL.

Examiner

M. Lee

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 and 29 is/are rejected.
- 7) ☒ Claim(s) 24-28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, and 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Klink et al. (5,548,341).

Regarding claim 1, Klink discloses a picture-in-picture television receiver showing a main picture video source 102, which meets the receiving step as claimed, a inset picture video source 104, which meets the additional image as claimed, a picture-in-picture processor 106 synthesizes the main picture 102 and inset picture 104 according to a multiplexing signal (col. 2, line 1) or PIP timing, which meets the superimposing step as claimed, and a video processor 200 for processing the main and inset pictures differently according to the PIP timing 116.

Regarding claim 2, the main picture signal and the PIP timing in Klink have the same pixel clock frequency because they both manipulate the same set of pixels in a frame.

Regarding claim 15, see rejection to claim 15.

Regarding claim 16, see display 112.

Regarding claim 17, see rejection to claim 2.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-14, 18-23, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klink et al. (5,548,341).

Regarding claims 3 and 4, Klink does not specify the generating step for generating user interaction information. The examiner takes Official Notice that using OSD for generating interaction information to a viewer is well known in the art because it provides information and instructions to the viewer to facilitate further actions. This clearly enhances the control operation of a television receiver. Knowing that the inset image 104 could be any conventional video source, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the well known OSD feature into Klink to perform the well known functions as claimed.

Regarding claims 5-11, and 13, Klink does not specify the functions of frame rate conversion, de-interlacing, image data interpolation, and motion compensation as claimed. The Examiner takes Official Notice that such claimed functions are well known in the art because they enable standard television signals to be displayed on a higher resolution display device. With such functions operated together, viewing standard

Art Unit: 2622

television signals on a HDTV monitor is possible. Hence, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the frame rate conversion, de-interlacing, image data interpolation, and motion compensation into Klink to perform the well known functions as claimed.

Regarding claim 12, Klink does not specify the image data of the additional image are only subjected to image data interpolation. As aforementioned, interpolation is a must when displaying normal television signals on a HDTV monitor. By the same token, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Klink so that the image data of the additional image is subjected to an image data interpolation operation.

Regarding claim 14, the position of the PIP location can be switched by the user when the displayed picture shows the PIP picture is blocking an important feature in the main picture, such as text message.

Regarding claims 18-19, the auxiliary input signal S2 is intended to be an OSD signal.

Regarding claims 20-23, see the corresponding rejections as set forth above.

Regarding claim 29, the video processing unit is a television receiver and video monitor.

Allowable Subject Matter

5. Claims 24-28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: Prior art does not teach or suggest the different processing paths and the selector as claimed.

Response to Arguments

7. Applicant's arguments filed 8/15/06 have been fully considered but they are not persuasive.

In response to applicant's argument that Klink does not disclose employing the same control signal for both: (1) mixing video signals from different source and (2) subsequent processing, the Figure 1 being referred to by Klink is actually a U.S. Patent No. 5,202,765 disclosed by Lineberry which clearly teaches the same invention as claimed. In Figure 2 of Lineberry, an insert timing control signal S6 is provided by the PIP processor 18 for controlling both the mixing operation of switch 22 and signal processing of non-linear processor 20. The non-linear processor 20 activates during the main picture period while inhibits the process during the PIP period. The function of the S6 signal clearly meets the claimed invention.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the


Art Unit: 2622

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Lee whose telephone number 571-272-7349. The examiner can normally be reached on Monday through Thursday from 9 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz, can be reached on 571-272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


M. Lee
Primary Examiner
Art Unit 2622